

Ryan's Law and PDD Program Services

Implemented in July 2008, Ryan's Law required some private insurance companies to cover autism treatment services for children with a Pervasive Developmental Disorder (PDD). For specifics pertaining to Ryan's Law, refer to the document **South Carolina: Frequently Asked Questions About the Autism Insurance Reform Law (Ryan's Law)** located in the appendix.

The following information is provided to clarify the interaction between the PDD Program and Private Insurance policy practice. Because each insurance provider may have their own unique operating procedures, this information is general in nature. For specific details pertaining to a child's coverage, please refer the parent/legal guardian to their particular insurance provider.

Interaction of the PDD Waiver Program and Private Insurance

- A child currently receiving ABA therapy through their private insurance coverage and is on the PDD Program Waiting List: If a child is eligible for Medicaid or is a Medicaid recipient, but is not yet enrolled in the PDD Waiver Program, the parents may be responsible for any applicable deductibles and co-pays associated with receiving ABA therapy provided through their insurance carrier. The ABA Provider contracted by the insurance carrier will follow the service provision and billing guidelines established by the insurer. This arrangement is strictly between the child's parents/legal guardians, their insurance carrier, and the ABA Provider contracted by the insurance carrier. Because the child is not enrolled in the PDD Waiver Program, it is not within the purview of DDSN or DHHS to waive or pay any costs associated with a child receiving ABA through private insurance.
- A child currently receiving ABA therapy through their private insurance coverage and is enrolled in the PDD Waiver Program: During the child's enrollment period in the PDD Waiver Program, the EIBI Providers are required to bill according to federally mandated Medicaid Policy. This is referred to as Third Party Liability (TPL). Medicaid is the payer of last resort and EIBI Providers must not bill Medicaid recipients or their parents/legal guardians.

Interaction of the PDD State Funded Program and Private Insurance

- A child currently receiving ABA therapy through their private insurance coverage and is enrolled in the PDD State Funded Program: The EIBI Provider may, under some circumstances, bill DDSN for any applicable deductibles and co-pays associated with ABA therapy provided through a child's insurance carrier. For specifics, see the document **Billing Procedures for EIBI State Funded Services** located in Chapter 13 of the PDD Manual.

Miscellaneous Information

- An EIBI Provider may serve a child who is covered by an insurance carrier and enrolled in the PDD Program. If a child with insurance is awarded a PDD slot:

1. The Case Manager will authorize all EIBI services as outline in chapter 6.
2. The EIBI Provider will be subject to all PDD Program requirements (e.g. submitting reports per indicated time lines).